

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

In the Matter of

Amendment of Section 73.202(b))	
Table of Allotments)	MB Docket No. _____
FM Broadcast Stations)	RM - _____
(Salem, Indiana and)	
Prospect, Kentucky))	

RECEIVED

To: Office of the Secretary
 Attn: Assistant Chief, Audio Division
 Media Bureau

AUG 18 2004

Federal Communications Commission
 Office of Secretary

PETITION FOR RULE MAKING

Clear Channel Broadcasting Licenses, Inc. ("Clear Channel"), licensee of WZKF(FM), Salem, Indiana, by its counsel, hereby submits this Petition for Rule Making, which proposes to delete Channel 255B at Salem, Indiana and allot Channel 255B at Prospect, Kentucky as that community's first local service. If this Petition is granted, Clear Channel will file an application for Channel 255B at Prospect and construct the facilities as authorized. The following table summarizes the changes requested in this Petition:

City	Channel	
	Existing	Proposed
Salem, Indiana	250A, 255B	250A
Prospect, Kentucky	---	255B

I. Technical Analysis

1. As demonstrated in the Technical Exhibit, Channel 255B can be allotted to Prospect at coordinates 38-25-59 North Latitude, 85-50-01 West Longitude consistent with Section 73.207 of the Commission's Rules with respect to all existing and proposed allotments and facilities. See Figure 1. A 70 dBu signal can be provided to Prospect from the proposed

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MB 04-146

reference coordinates. *See* Figure 5. The relocation of WZKF(FM) from Salem to Prospect will result in a predicted net gain in population of 26,272 persons within the WZKF(FM) 54 dBu contour.¹ *See* Technical Narrative, Figure 2. The entire loss area will continue to receive at least five other aural services and will thus remain well served. *See* Figures 3 & 4.

II. Change in Community of License

2. Clear Channel desires to change the community of license of WZKF(FM) from Salem to Prospect under the guidelines set forth in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recons. granted in part*, 5 FCC Rcd 7094 (1990). There, the Commission stated that a station may change its community of license without subjecting the license to other expressions of interest if (1) the proposed allotment is mutually exclusive with the current allotment; (2) the current community of license will not be deprived of its only local service; and (3) the proposed arrangement of allotments is preferred under the Commission's allotment priorities. These criteria are met here. First, the proposed use of Channel 255B at Prospect is mutually exclusive with the current use of Channel 255B at Salem. *See* Figure 1. Second, Salem will not be deprived of its only local service because it will continue to be served by Stations WSLM(AM) and WSLM-FM. Third, the provision of a first local service at Prospect (2000 U.S. Census population 4,657) under Priority 3 will result in a preferential arrangement of allotments over the retention of a third local service at Salem (2000 U.S. Census population 6,172) under Priority 4. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

3. Prospect is located in the Louisville, Kentucky Urbanized Area. Therefore, this relocation implicates the Commission's policy regarding the migration of stations into urban

¹ As a Class B station, the protected 54 dBu service contour rather than the 60 dBu contour is used for gain/loss purposes.

areas. See *Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995) (“*Headland*”); *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) (“*Tuck*”). In making the determination whether to award an urbanized community a first local service preference, the Commission will consider (1) the extent to which the station will provide service to the entire Urbanized Area, (2) the relative populations and proximity of the suburban and central city, and, most importantly, (3) the independence of the suburban community. *Tuck*, 3 FCC Rcd at 5377-78. In this case, from the proposed transmitter site, WZKF(FM) would place a 70 dBu contour over 50% of the Louisville Urbanized Area. Prospect’s population (2000 U.S. Census 4,657) is 18% of that of Louisville (2000 U.S. Census 256,231), and Prospect is located 17 kilometers from Louisville. These figures are similar to those of other suburban communities granted a first local preference. See, e.g., *Old Fort, Fletcher, and Asheville, North Carolina; Surgoinsville, Tennessee, and Augusta, Georgia*, 18 FCC Rcd 12181 (2003) (Fletcher’s population is 6.7% of that of Asheville, and Fletcher is located 17 kilometers from Asheville); *Malvern and Bryant, Arkansas*, 14 FCC Rcd 3576 (1999) (Bryant’s population is 3% of that of Little Rock, and Bryant is located 20 miles from Little Rock). Nevertheless, the Commission has repeatedly stated that these factors are less important than evidence of independence. See *Headland*, 10 FCC Rcd at 10355. The following analysis of the eight *Tuck* factors demonstrates the independence of Prospect from Louisville.

(1) ***Extent to which the residents of Prospect work in Louisville.*** According to 2000 Census figures, 310 of the 2,292 employed individuals in Prospect, or 13.5%, work at their place of residence. See Exhibit 2. This percentage compares favorably with other independent communities. See, e.g., *Albemarle and Indian Trail, North Carolina*, 16 FCC Rcd 13876 (2001) (11.3% of working-age residents worked in community);

Coolidge and Gilbert, Arizona, 11 FCC Rcd 3610 (1996) (13% of Gilbert's working population actually worked in Gilbert).

(2) *Newspapers and other media that cover Prospect's local needs and interests.* The *Prospect City Newsletter* is a monthly publication that covers the local needs and interests of Prospect. It is published in Prospect and mailed to every resident. It includes updated news on important city businesses, gives information on seasonal/monthly events, provides minutes of the latest Council meetings, and has an insert to let resident's know about activities and special events. In addition, *Kentuckiana Family* is a bimonthly magazine based in Prospect. See Exhibit 2.

(3) *Community leaders and residents perceive Prospect as being separate from Louisville.* The City of Prospect was incorporated in 1974. Pioneers first settled in the land around Prospect in the late 1700s. The Prospect Store was opened around 1911 and served as the center of town. This quintessential country store served as "a gathering place, a news center" according to Henry Wallace, who grew up on nearby Rose Island Road. Prospect's modern-day origin is based on the combined developments of Hunting Creek subdivision, Hunting Creek Country Club and Fox Harbor subdivision. The individuals who pioneered the area were concerned about being able to control the urban sprawl they had witnessed since the mid-1960s. They incorporated the city of Prospect to maintain the natural beauty that surrounded them and to restrict overcommercialization.

The Mayor of Prospect, Lonnie Falk, explains the ethos of Prospect, "we are a community of many ideas, with one unalterable vision for the future," and describes Prospect as "growing" and "prospering." During the 1990s, Prospect was one of the fastest growing cities in Jefferson County. See Exhibit 2.

(4) ***Prospect has its own local government and elected officials.*** Prospect operates independently of any other government and is run by a Mayor and City Council. All legislative powers of Prospect are vested in the Council, which is composed of six members. The Mayor is elected every four years and the six council members are elected every two years by the citizens of Prospect. All council meetings are open to the residents of Prospect and the general public. A professional staff consisting of a City Administrator, Deputy City Clerk for Administration, Deputy City Clerk for Finance, and Director of Maintenance & Technology work at City Hall. The City also employs a part-time City Engineer and City Maintenance Technician. Various committees, assigned by the mayor and/or city council can include members of the community to discuss and resolve issues that are common to the entire community. *See Exhibit 2*

The City regulates all building improvements by issuing permits and local City ordinances. It also operates a Code Review Board to hear cases involving local City ordinances. The City levies its own property tax on residents. *See Exhibit 2.*

(5) ***Prospect has one zip code.*** The zip code assigned to Prospect is 40059 and the U.S. Postal Service operates an office in Prospect. Prospect's commercial and residential phone numbers are listed in the Oldham County telephone directory. The Oldham County telephone directory does not include the phone numbers for Louisville. In addition, phone numbers for businesses in Prospect are listed on the Prospect website, at <www.prospectky.com>. *See Exhibit 2.*

(6) ***Prospect has its own commercial establishments and health care providers.*** Prospect is home to a variety of businesses and commercial establishments. Prospect lists businesses operating in Prospect on its website. A number of local

businesses identify with the community by using "Prospect" in their name, including Prospect Animal Clinic, Prospect Dental Care, Prospect Fish Market, Prospect Horse and Rider, Prospect Jewelers, Prospect Nails, Prospect Party Center, and Prospect Pediatrics. Other Prospect retail and commercial businesses include A Polished Image, Blockbuster, City Nails, Highland Cleaners, Java Brewing Company, Ladies Workout Express, Lady Bug, Power Moves, and Profiles Salon. *See Exhibit 2.*

A number of health care providers are located in Prospect including Prospect Pediatrics and Prospect Dental Care. Prospect is also home to a number of sole practitioners. A number of churches are located in Prospect, including First Baptist Church, Harrods Creek Baptist Church, Landmark Community Church, Grace & Glory Lutheran Church and New Goshen Presbyterian Church. Prospect citizens participate in the Rotary Club of Prospect & Goshen as well as other civic organizations including local brownie, cub scout and boy scout troops. *See Exhibit 2.*

(7) *Prospect is a separate and distinct advertising market from Louisville.* *Kentuckiana Family* provides the businesses of Prospect with a place to advertise to the residents of Prospect without relying on the Louisville advertising market. *See Exhibit 2.*

(8) *Prospect has its own library and police protection* The Prospect Reading Center is open to all residents of Prospect and is located on the second floor of City Hall. It has a variety of materials including reference, fiction and non-fiction. The Reading Center hosts community events and groups, including the girl scouts, weeblos and boy scouts. *See Exhibit 2.*

The Prospect Police Department has 9 full-time officers. Officers patrol the entire city and their response time to any call for assistance is usually never more than 2-3

minutes. The Department operates a Community Oriented Policing Program, and a House Watch program that monitors resident's homes while they are away on vacation for any unauthorized vehicles or persons near the house. Prospect's fire protection is operated by Harrods Creek Fire-Rescue. Harrods Creek has two fire stations and protects approximately 20 square miles of Eastern Jefferson County. Harrods Creek Fire and Rescue is independent of the Louisville Fire & Rescue. *See Exhibit 2.*

Many students in Prospect attend public schools in the Oldham County School District. Goshen Elementary school is part of the Oldham County School District and is located in Prospect. Additionally, the administrative offices of the Oldham County School District are located in Prospect. *See Exhibit 2*

4. Prospect is clearly independent of Louisville and therefore deserving of a first local service. As demonstrated above, Prospect satisfies all of the independent community indicia required by *Tuck*.

III. CONCLUSION

For the foregoing reasons the Commission should delete Channel 255B at Salem, Indiana and allot Channel 255B at Prospect, Kentucky as that community's first local service. Clear Channel reiterates that if the Commission allots Channel 255B at Prospect as that community's first local service, it will file an application for Channel 255B at Prospect and will construct the facilities as authorized. The Commission should promptly issue a Notice of Proposed Rule Making as described herein.

Respectfully submitted,

CLEAR CHANNEL BROADCASTING
LICENSES, INC.

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Its Counsel

August 18, 2004

TECHNICAL EXHIBIT
PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS

Salem, Indiana
Prospect, Kentucky

Technical Narrative

This technical narrative and accompanying Figures have been prepared on behalf of station WZKF(FM), Salem, Indiana, in support of a Petition for Rule Making to amend 47 C.F.R. Section 73.202(b) to reallocate channel 255B at Salem, Indiana to channel 255B at Prospect, Kentucky, and to modify the license of WZKF(FM) to specify operations on channel 255B at Prospect, Kentucky.

As the requested change is mutually exclusive with the station's current allotment, Petitioner invokes the provisions of 47 C.F.R. Section 1.420(i).

The following is a summary of the merits of this reallocation proposal:

- The community of Prospect, Kentucky (2000 Census population 4,657 persons) will be provided with its first local aural transmission service.
- The community of Salem, Indiana (2000 Census population 6,172 persons) will continue to have local aural transmission service from WSLM and WSLM-FM.
- The proposed channel 255B allotment site at Prospect, Kentucky satisfies the Commission's allocations spacing rules for a fully spaced, full 50 kW Class B facility.¹
- The 54 dBu gain area associated with the proposed allotment of channel 255B to Prospect, Kentucky will encompass 84,668 persons, while the 54 dBu loss area will encompass 58,396 persons, for a net gain of 26,272 additional persons served within the WZKF(FM) 54 dBu service contour.²

¹ The proposed allotment reference coordinates are 38° 25' 59" North, 85° 50' 01" West. See this Exhibit under the heading "Compliance With FCC Rules" for details on allocations considerations with respect to this site. Also see *Figure 1* accompanying this Exhibit for the allocations spacing study.

² See *Figure 2*.

- The channel 255B at Salem, Indiana 54 dBu loss area is well served by a number of radio services.³

Table of Figures Accompanying this Exhibit

Figure 1	WZKF(FM) Channel 255B Allocations Spacing Study
Figure 2	WZKF(FM) Channel 255B 54 dBu Gain and Loss Areas, and Depiction of Services to WZKF(FM) 54 dBu Loss Area
Figure 3	Tabulation of Services to WZKF(FM) 54 dBu Loss Area
Figure 4	Map of Services to WZKF(FM) 54 dBu Loss Area
Figure 5	WZKF(FM) Channel 262 Present "B" and Proposed "B" 70 dBu Service
Figure 6	Line of Site Plot WZKF(FM) site to Prospect, KY

³ See Figures 3 and 4.

Proposed Change in the FM Table of Allotments

Salem is located in Washington County, Indiana, and has a 2000 U.S. Census population of 6,172 persons.

Prospect is located in Jefferson County, Kentucky and has a 2000 U.S. Census population of 4,657 persons. Prospect has no local FM or AM aural broadcast service and, therefore, Petitioner's proposal would bring a first local aural transmission service to Prospect.

Accordingly, Petitioner requests modification of the FM Table of Allotments as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Salem, IN	250A, 255B	250A
Prospect, KY	--	255B

Compliance With FCC Rules

The attached *Figure 1* is a tabulation of required separations pertinent to use of channel 255B at Prospect, Kentucky. The allotment reference site complies with the Commission's minimum distance separations contained in Section 73.207 of the FCC's rules to all existing, authorized and proposed stations and allotments as a full 50 kW Class B allotment, except for the existing channel 255B allotment at Salem, Indiana, for which this proposal is a mutually exclusive substitute.

Operation from the channel 255B reference site will provide the requisite city grade (70 dBu) signal to all of Prospect.⁴ *Figure 5* is a map which depicts the city grade coverage (70 dBu) contour based on class B facilities (ERP 50 kW/HAAT 150 meters) at the proposed allotment site. As shown, all (100%) of Prospect is located within the 70 dBu City Grade contour. *Figure 6* is a plot demonstrating "line of sight" from the allocation location to Prospect, Kentucky reference coordinates.

⁴ See *Figure 5* herein.

Urbanized Area Considerations

The present 255B 70 dBu contour of WZKF(FM) currently encompasses 58% of the population and 46% of the area of the Louisville, KY Urbanized Area.

The proposed 255B 70 dBu contour from the reference coordinates will encompass 66% of the population and 50% of the area of the Louisville, KY Urbanized Area

54 dBu Gain and Loss Areas

There are currently 1,224,724 persons residing within the WZKF(FM) 54 dBu contour. There will be 1,250,996 persons residing within the proposed WZKF(FM) 54 dBu contour. 1,166,328 persons currently residing within the WZKF(FM) 54 dBu contour will continue to receive service under this proposal; 58,396 persons will lose service. 84,668 persons will gain new service within the proposed WZKF(FM) 54 dBu contour as a result of the proposed operation at Prospect, for a net aggregate service gain of 26,272 persons. *See Figure 2.*

The 54 dBu loss area related to the reallocation of channel 255B to Prospect is well served by many aural services. *See Figures 2, 3 and 4.*

Coverage Contours

The FM predicted coverage contours were calculated in accordance with the provisions of 47 C.F.R. Section 73.313, except that, in accordance with current FCC practice, uniform terrain was assumed in all directions.

Population and Area

The population within the FM primary service contour (1 mV/m) was calculated using a computer program that utilizes the 2000 U.S. Census database of "population centroids." The program adds the populations of those U.S. Census designated areas whose centroid lies within each service area.

Conclusion

Station WZKF(FM) can be reallocated from channel 255B at Salem, Indiana to channel 255B at Prospect, Kentucky, in compliance with all applicable Commission rules. The community of Prospect, Kentucky would be provided with a first local aural transmission service, and the community of Salem, Indiana will continue to be served by local aural transmission services. The allotment of channel 255B at Prospect will result in a net gain of 26,272 additional persons served within the WZKF(FM) 54 dBu service contour. No service will be lost in any underserved area⁵ and no new underserved areas will be created as a result of this proposal. Therefore, Petitioner requests the reallocation of channel 255B from Salem, Indiana to channel 255B at Prospect, Kentucky and the modification of the license of WZKF(FM) to specify operation on channel 255B at Prospect, Kentucky.

Respectfully submitted,



Troy G. Langham
FCC Engineering Supervisor
Clear Channel Broadcasting Licenses, Inc.

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August 16, 2004

⁵ Defined as an area receiving service from less than five aural broadcast services. In the case of this proposal, the 54 dBu loss areas will continue to receive 60 dBu service from multiple sources. See Figures 3 and 4.

Channel 255B, Prospect, KY

Figure 1

Spacing Study at Allocation Site

ComStudy 2.2 search of channel 255 (98.9 MHz Class B) at 38-25-59.0 N, 85-50-01.0 W.

Callsign	State	City	Chanl	ERP_w	Class	Status	Dist_km	Sep	Clr
WZKF	IN	SALEM	255	50000	B	LIC	14.97	241	-226
WZKF	IN	SALEM	255	0	B	USE	28.89	241	212.1
WNAS	IN	NEW ALBANY	201	2850	A	LIC	15.01	15	0
WKDO-FM	KY	LIBERTY	254	0	C3	USE	148.82	145	3.8
WKDO-FM	KY	LIBERTY	254	25000	C3	LIC	148.82	145	3.8
WJMM-FM*	KY	KEENE	256	0	A	RSV	117.71	113	4.7
WSIP-FM	KY	PAINTSVILLE	255	0	C1	USE	275.19	270	5.2
WSIP-FM	KY	PAINTSVILLE	255	94000	C1	LIC	275.19	270	5.2
WQXE	KY	ELIZABETHTOWN	252	8500	C3	LIC	80.94	71	9.9
WJMM-FM	KY	KEENE	256	4500	A	LIC	124.48	113	11.5
WQXE	KY	ELIZABETHTOWN	252	0	C3	USE	86.27	71	15.3
WSOH	IN	NEW WASHINGTON	202	1200	A	CP	34.58	15	19.6
WSOH	IN	NEW WASHINGTON	202	1000	A	LIC	36.76	15	21.8
WQKZ	IN	FERDINAND	253	0	A	USE	92.81	69	23.8
WQKZ	IN	FERDINAND	253	3600	A	LIC	92.04	69	23
WSCH	IN	AURORA	257	1150	A	LIC	97.12	69	28.1
WSCH	IN	AURORA	257	0	A	USE	97.12	69	28.1

Figure 2
Gain Loss Service Map

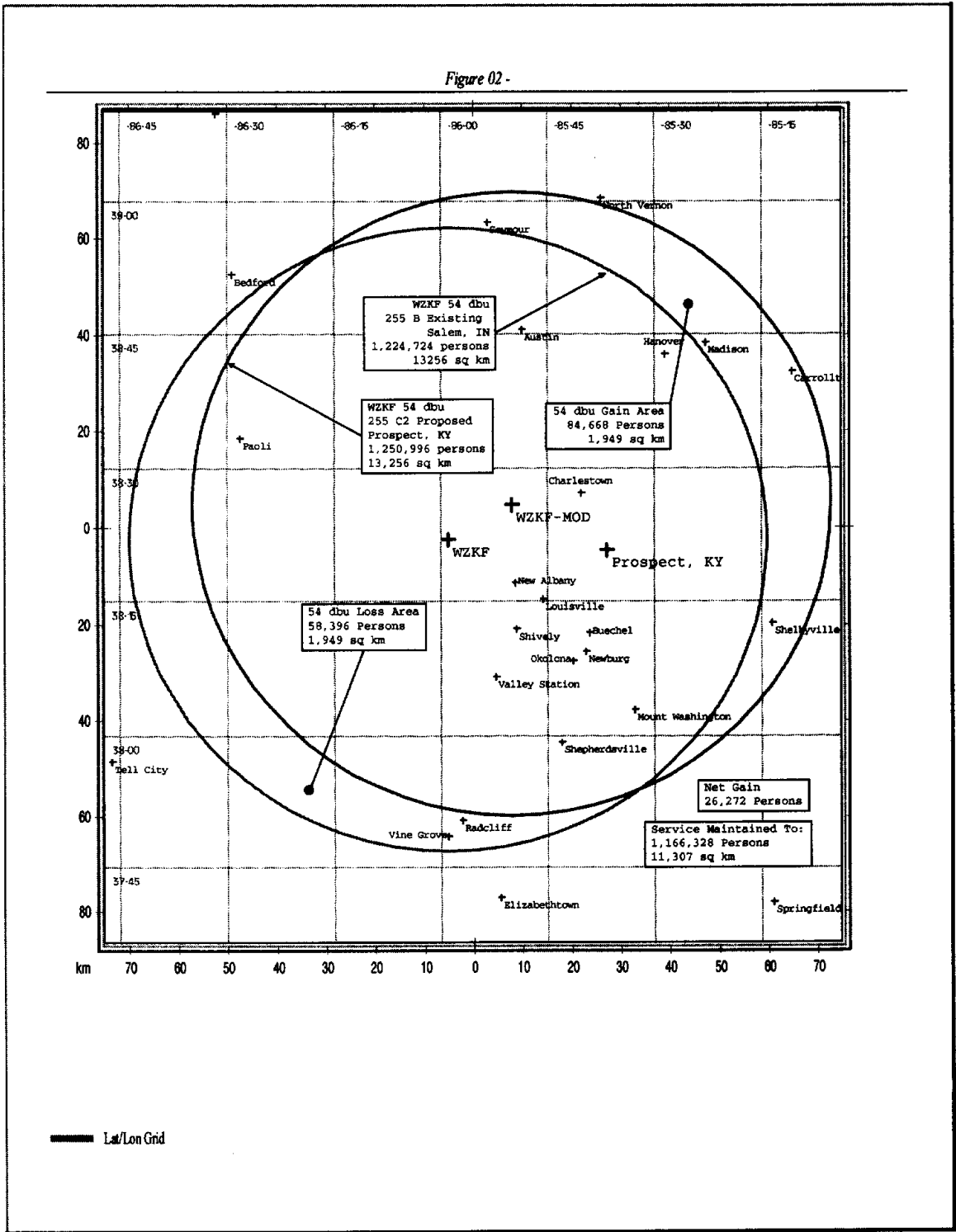


Figure 3

Tabulation of Services to Loss Area

Call Sign	Facility_id	City	State
WZKF	60706	SALEM	IN
WZKF-			
MOD	60706	SALEM	IN
WKCM	25966	HAWESVILLE	KY
WMMG	40927	BRANDENBURG	KY
WTCJ	18277	TELL CITY	IN
WITZ	30583	JASPER	IN
WSEZ	28601	PAOLI	IN
WSLM	17153	SALEM	IN
WBRT	48244	BARDSTOWN	KY
WBKR	67778	OWENSBORO	KY
WMMG-FM	40928	BRANDENBURG	KY
WTCJ-FM	83101	TELL CITY	IN
WJCR-FM	21837	UPTON	KY
WULF	25799	HARDINSBURG	KY
WQXQ	46945	CENTRAL CITY	KY
WLME	25962	CANNELTON	IN
WQXE	26017	ELIZABETHTOWN	KY
WXBC	6700	HARDINSBURG	KY
WRZI	36632	VINE GROVE	KY
WQKC	58380	SEYMOUR	IN
WBRO	76439	MARENGO	IN
WUME-FM	28600	PAOLI	IN
WBDC	17623	HUNTINGBURG	IN
WFLQ	72842	FRENCH LICK	IN
WKLO	88536	HARDINSBURG	IN
WQRK	437	BEDFORD	IN
WQKZ	15906	FERDINAND	IN
WITZ-FM	30584	JASPER	IN
WAXL	64420	SANTA CLAUS	IN
WNUF	43248	MITCHELL	IN
WMBL	84103	MITCHELL	IN
WFIU	68269	BLOOMINGTON	IN
WLVK	70496	FORT KNOX	KY
WTHX	48245	LEBANON JUNCTION	KY
WLSK	36886	LEBANON	KY
WKUE	71860	ELIZABETHTOWN	KY
WKMO	19354	HODGENVILLE	KY
WASE	70495	RADCLIFF	KY
WQMF	50763	JEFFERSONVILLE	IN
WSFR	55499	CORYDON	IN
WTFX-FM	53593	LOUISVILLE	KY
WLRS	51074	SHEPHERDSVILLE	KY
WAMZ	11921	LOUISVILLE	KY
WJIE-FM	19880	OKOLONA	KY

Figure 4
Map of Services to Loss Area

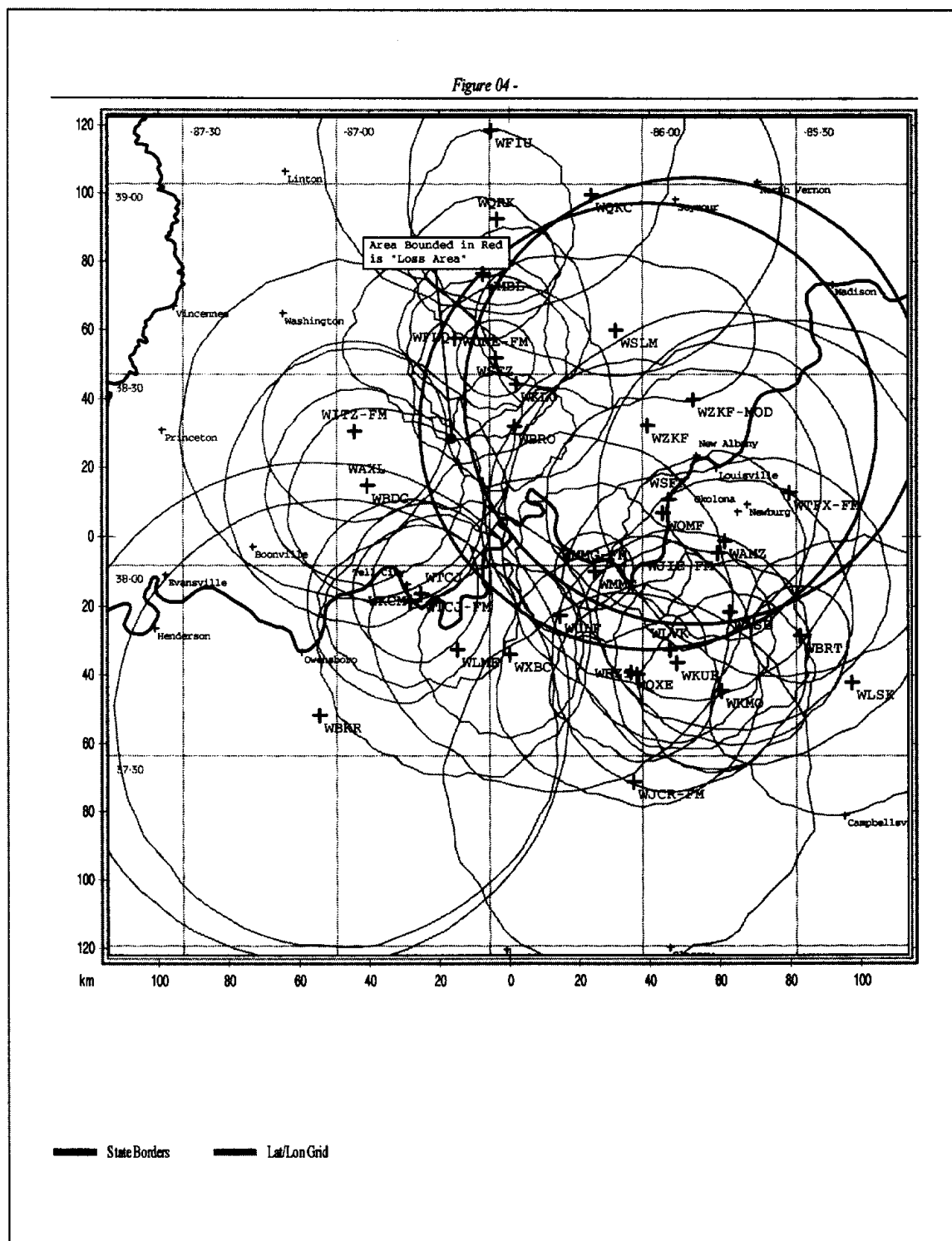


Figure 5
Present and Proposed 70 dBu Service

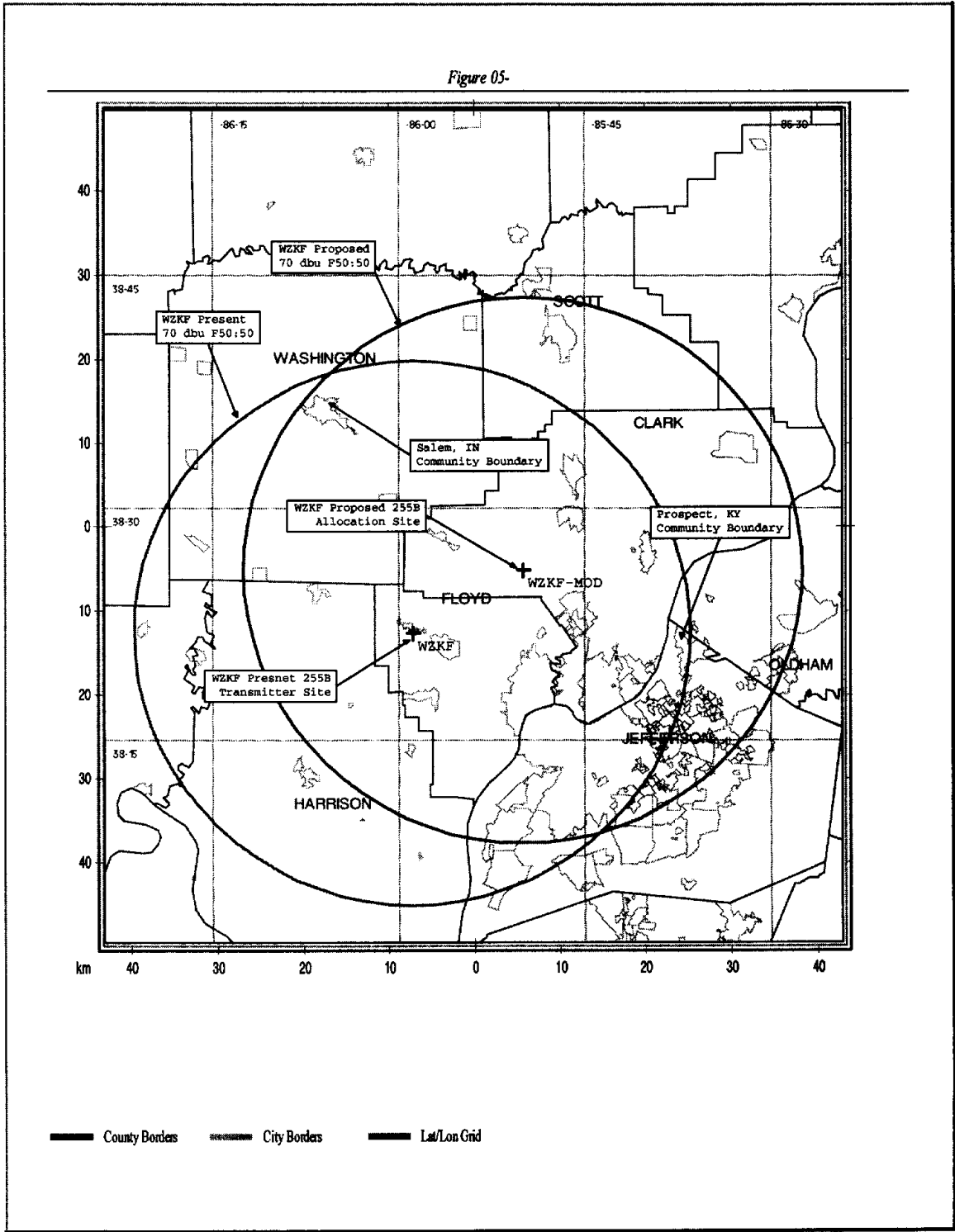


Figure 6. Line of Site Plot WZKF site to Prospect, KY

U.S. Census Bureau, U.S. Gazetteer query result for:

Prospect, KY (city)
Location: 38.34777 N, 85.60931 W
Zip Code(s): 40059

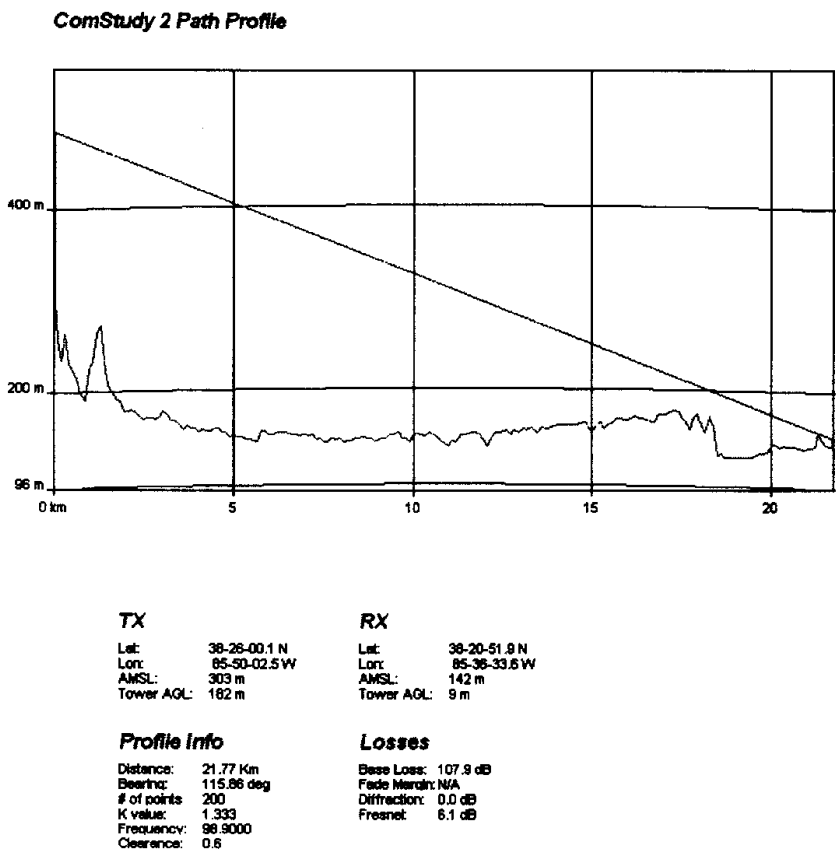


EXHIBIT 2

American FactFinder

FACT SHEET

Prospect city, Kentucky

Highlights from the Census 2000 Demographic Profiles:

General Characteristics - show more >>

	Number	Percent	U.S.		
Total population	4,657	100.0	100%	map	brief
Male	2,296	49.3	49.1%	map	brief
Female	2,361	50.7	50.9%	map	brief
Median age (years)	42.6	(X)	35.3	map	brief
Under 5 years	303	6.5	6.8%	map	
18 years and over	3,376	72.5	74.3%		
65 years and over	470	10.1	12.4%	map	brief
One race	4,604	98.9	97.6%		
White	4,327	92.9	75.1%	map	brief
Black or African American	158	3.4	12.3%	map	brief
American Indian and Alaska Native	12	0.3	0.9%	map	brief
Asian	96	2.1	3.6%	map	brief
Native Hawaiian and Other Pacific Islander	1	0.0	0.1%	map	brief
Some other race	10	0.2	5.5%	map	
Two or more races	53	1.1	2.4%	map	brief
Hispanic or Latino (of any race)	30	0.6	12.5%	map	brief
Average household size	2.69	(X)	2.59	map	brief
Average family size	3.01	(X)	3.14	map	
Total housing units	1,847	100.0	100.0%	map	
Occupied housing units	1,732	93.8	91.0%		brief
Owner-occupied housing units	1,609	92.9	66.2%	map	
Renter-occupied housing units	123	7.1	33.8%	map	brief
Vacant housing units	115	6.2	9.0%	map	

Social Characteristics - show more >>

	Number	Percent	U.S.		
Population 25 years and over	3,301	100.0			
High school graduate or higher	3,211	97.3	80.4%	map	brief
Bachelor's degree or higher	2,309	69.9	24.4%	map	
Civilian veterans (civilian population 18 years and over)	492	14.2	12.7%	map	brief
Disability status (population 21 to 64 years)	184	6.4	19.2%	map	brief
Foreign born	278	5.8	11.1%	map	brief
Now married (population 15 years and over)	2,754	73.9	54.4%		brief
Speak a language other than English at home (5 years and over)	285	6.3	17.9%	map	brief

Economic Characteristics - show more >>

	Number	Percent	U.S.		
In labor force (population 16 years and over)	2,367	65.2	63.9%		brief
Mean travel time to work in minutes (population 16 years and over)	23.9	(X)	25.5	map	brief
Median household income (dollars)	111,170	(X)	41,994	map	
Median family income (dollars)	124,131	(X)	50,046	map	
Per capita income (dollars)	51,469	(X)	21,587	map	
Families below poverty level	12	0.8	9.2%	map	brief
Individuals below poverty level	74	1.5	12.4%	map	

Housing Characteristics - show more >>

	Number	Percent	U.S.		
Single-family owner-occupied homes	1,531	100.0			brief
Median value (dollars)	291,400	(X)	119,600	map	brief
Median of selected monthly owner costs	(X)	(X)			brief
With a mortgage	1,975	(X)	1,088	map	
Not mortgaged	480	(X)	295		

(X) Not applicable.

Source: U.S. Census Bureau, Summary File 1 (SF 1) and Summary File 3 (SF 3)

U.S. Census Bureau

10

Web

American FactFinder

P27. PLACE OF WORK FOR WORKERS 16 YEARS AND OVER--PLACE LEVEL [5] - Universe:**Workers 16 years and over****Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data**

NOTE: Data based on a sample except in P3, P4, H3, and H4. For information on confidentiality protection, sampling error, nonsampling error, and definitions see <http://factfinder.census.gov/home/en/datanotes/expsf3.htm>.

	Prospect city, Kentucky
Total:	2,292
Living in a place:	2,292
Worked in place of residence	310
Worked outside place of residence	1,982
Not living in a place	0

U.S. Census Bureau
Census 2000

Standard Error/Variance documentation for this dataset:**Accuracy of the Data: Census 2000 Summary File 3 (SF 3) - Sample Data (PDF 141.5KB)**

THE CITY OF

KENTUCKY

WELCOME

W

ith the community celebrating its 30th anniversary we welcome you to our home. Incorporated in 1974, Prospect has been one of the fastest growing cities in the Commonwealth of Kentucky. As a Fourth Class city, Prospect has its own governing council, city police protection, and a variety of services available to all residents. Prospect is also one of few cities whose tax rate has decreased over the last decade!

A diverse, family-oriented community, Prospect remains dedicated to showing all who come to live and visit, how **many** people can create **one** vision.

We look forward to the future with the hope that we may continue to maintain a community of aesthetic beauty, provide outstanding community service, and nurture goodwill among all our residents.

Sincerely,

Lawrence C. Falk

Lawrence C. "Lonnie" Falk
Mayor, Prospect, Kentucky



Lonnie Falk, Mayor
Prospect, Kentucky

NEWS & EVENTS

DID YOU KNOW?

Although the City of Prospect is celebrating the 30th anniversary of its incorporation, the actual date of celebration begins, by state law, on the 1st day of July!

What's in a name...

The original name for the city of Prospect was Sand Hill. ([click here for more on the history of Prospect](#))

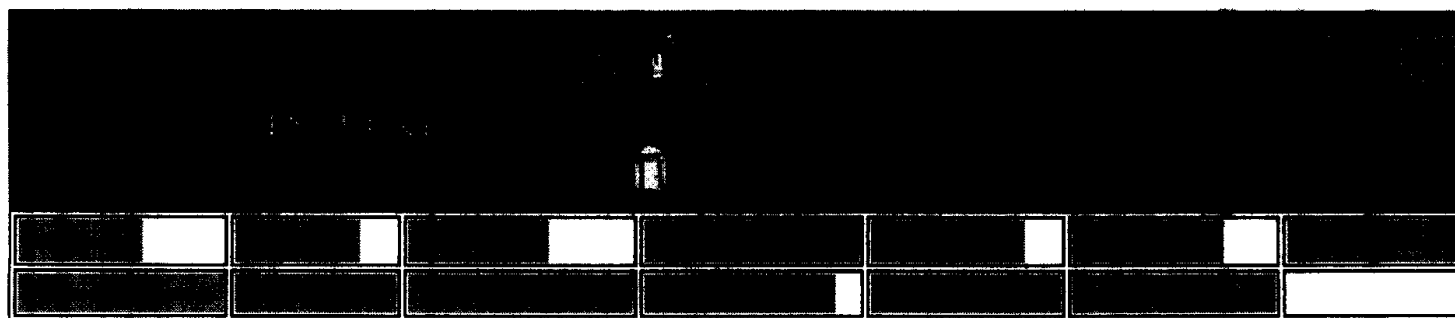


GALLOPALOOZA:

Everyone gets a hand in on the fun!

On February 7th and 8th of this year the City of Prospect completed their entry into the year-long **Gallopalooza** celebration. Along with other Louisville communities, corporations, and artists, Prospect has created it's own "Art Horse" to display in the county-wide event.

The horse was affectionately named after 1974 Derby winner **Cannonade**. Local artist **Lonn Walker** proposed the idea as a representation of "the people of



Welcome...we're glad you're here!

We've just recently had an opportunity to redesign our website. Many cities have their own websites as a service to their communities and visitors who come there, but Prospect was one of the first in the United States to do so.

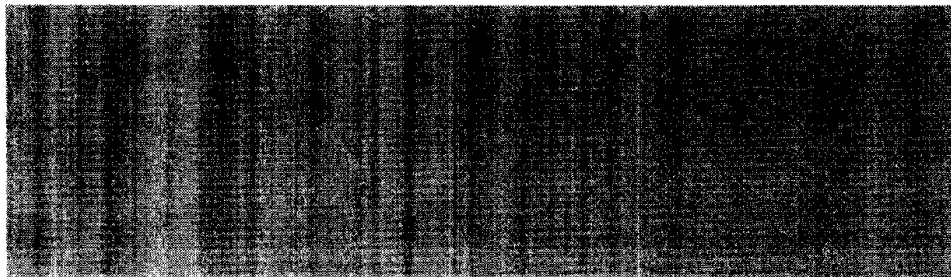
We hope that the information provided here will assist, inform and entertain all of the citizens of our fine community including those who live in other areas.

This site is dedicated to the people of Prospect who share a vision of our future unmarred by overdevelopment and in harmony with nature.



Special

July 4th, 2004
Picture Gallery!!



City Prospective

The City of Prospect is located in the beautiful rolling hills in far eastern Jefferson County and far western Oldham County. It is one of the few cities in Kentucky that crosses county lines. The city is comprised of spacious residential homes, luxury condominiums and apartment complexes, and a number of businesses conveniently located in a centralized shopping village.

Prospect grew more, percentage wise, than any other city of any significant size in Jefferson County, Kentucky during the 1990s. According to the latest census figures, Prospect has the highest per capita income in the Commonwealth.

Prospect has hosted more Homearamas than any other place in Jefferson County. Homearama is a showcase for new and innovative home building sponsored by the Louisville Association of Homebuilders.

Prospect is listed as a Fourth Class city in the Commonwealth of Kentucky's city designation system. This means it has the right to have its own police department, its own city services and has the final say-so on zoning issues.

City FIRST!!

The City of Prospect is proud to be one of the first cities to offer its residents complete transcripts of City Council Meetings. Each transcript can be downloaded from this website and each transcript is indexed to allow you to find just about anything that was referenced in the meeting!
[CLICK HERE NOW!!](#)

MAYOR

Lonnie Falk, Mayor

COUNCIL

Nan Millman, Council Member

Charlie Sell, Council Member

Alan Simon, Council Member

Harold Smith, Council Member

Sandy Tucci, Council Member

Lee Zimmerman, Council Member

CITY STAFF

Ann Simms, City Administrator

**Cathy Parrot, Deputy Clerk
for Finance**

**Ann Melton, Deputy Clerk
for Administration**

Anne Bruner, Director Reading Center

**Ron Cundiff,
Director of Maintenance & Technology**

POLICE

Marvin Wilson, Chief of Police

City Hall
9200 U.S. Highway 42
Prospect, Kentucky 40059

Prospect, KY

[Get the 10 day forecast](#)



86°F

Partly Cloudy

Feels Like: 91°F

Humidity: 61%

Wind: SSW at 10 mph

Enter city/zip



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THE CITY OF

KENTUCKY

THE HISTORY OF PROSPECT



The word "prospect", as written in the dictionary, is a derivative of the Latin word *prospectus*, or 'view'. It also derives meaning from the French word *prosier* or to 'look forward'.

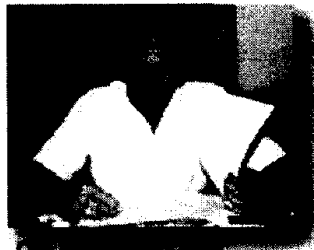
From the earliest formation of Jefferson County until the mid-1960's, Prospect was mostly land belonging to a few wealthy families who commuted to Louisville and groups of farmers. The growth of the area wasn't significant until the railroad came through around the early 1900's.

Just up the road on U.S. 42 was the Prospect Store. Considered to be the center of town, the store, which was opened in 1911, served the community for some 52 years. Joe Snowden's family owned and operated the store for that period until the Five Star mini-mart purchased the land on that corner location. It was noted that in the 1930s, the store sold overalls to farmers and steaks to gentleman farmers. Three loaves of bread cost a quarter.

A resident named Henry Wallace, who owned nearly 600 acres of property on the north side of U.S. Highway 42 frequented the Prospect Store for many years. Instead of watching the store be demolished and cleared away, he bought it for one dollar and had it moved to his property across the road. It stands today and is called the Rose Island Apartments.

The interurban train was the main reason for population growth in the Prospect area between 1910 and 1934. It's regular route included hourly stops that brought goods in from Louisville as well as transporting farm products to market. The interurban train eventually stopped hourly service to the area but maintained a "midnight run" until service was discontinued.

Prospect's modern-day origin is based on the combined developments of Hunting Creek subdivision, Hunting Creek Country Club, and Fox Harbor subdivision. Those individuals who first pioneered this area were genuinely concerned over being able to control the type of urban sprawl that had been witnessed since the mid-1960's. They wanted an area that continued to maintain the natural beauty that surrounded them and restrict over commercialization.



One of the first maps of the area, showing the original subdivisions, Don Cowley

THE CITY SEAL



It represents the origins of community and notes the natural beauty that surrounds the community. The seal represented contains special meaning.

The Tree - signifies growth and stability. It also represents the wealth of our natural surroundings and the City's commitment to a semi-rural ambience.

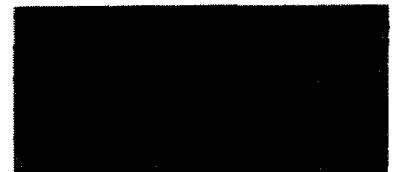
The Partridge - symbolizes the original subdivision: Prospect, Hunting Creek.

The Fox - represents the original subdivision, Fox Harbor.

The Water - represents Harro Creek, an active tributary of the Ohio River that flows through the area.

Moments in History:

The following special information is provided to give you a sense of our community's history. Just click on the events below to open another window:



In 1974, the City of Prospect was incorporated and in 1979 the city applied for and received a Fourth Class city designation by the Commonwealth of Kentucky. That status allowed Prospect to create it's own city government and provide specific city services that make Prospect a desirable area for many individuals and families to live.

Prospect's elected officials include a mayor and six council members who meet regularly to review city policy, ordinances, and basic governmental functions.

The mayor handles the day-to-day business of government while the council, in coordination with the mayor, performs duties that involve decision-making about the city's direction and focus.



Prospect employs a small staff of support personnel who perform vital functions to aid the mayor and city council.

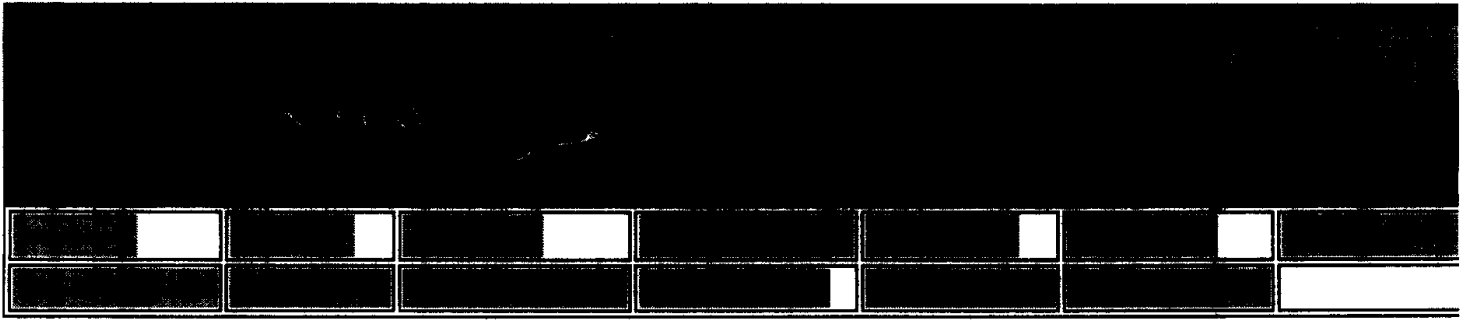
They include a City Administrator, Deputy City Clerk for Administration, Deputy City Clerk for Finance, and Director of Maintenance & Technology, and Reading Room

Director
Various committees, assigned by the mayor and/or city council can include members of the community to discuss and resolve issues that are common to the entire community. A recent example of this effort is the Committee for Ordinance Review. This particular committee is in the process of reviewing all of the current city ordinances that effect everything from commercial zoning to safety. This effort, initiated in 2003, will update the entire ordinance structure to remove and/or change those ordinances that no longer meet the needs of the community and improve the overall scope of governance for the future.

Today's population of approximately 8,000 is celebrating 30 years of community growth and accomplishments. Prospect continues in the tradition of providing it's citizens with conveniences and services as well as protecting and maintaining its unique cultural and natural beauty.

You can be a part of the History!

You can be a part of the history of Prospect by helping us discover new facts about our community. If you have any really interesting facts or photos of Prospect that date back to 1974 and before, please feel free to contact us at City Hall. If you've got the goods, we'll publish your photos/stories on our website.



*(This Page is an Abbreviated Version of the City's New Resident Booklet.
A Full Copy of the Booklet May be Obtained at City Hall)*

Government

Prospect is a Mayor-Council form of government. The Mayor is in charge of the executive branch and the City Council, which is made up of six members, makes the ordinances which govern the City.

The Mayor serves a four-year term and six City Council members serve for two years. Elections are on a non-partisan basis and are held in November.

There is no judicial branch in City Government. Jefferson County has a unified court system under which all traffic and criminal fines and fees are collected by the County; however, a Code Review Board hears cases involving local City ordinances.

A professional staff consisting of a City Administrator, City Clerk, and City Secretary work at City Hall. The City also employs a part-time City Engineer and a City Maintenance Technician.

Police Protection

The Police Department, which has a staff of nine full-time officers headed by a Chief, has headquarters in City Hall.

Fire Protection

Fire protection is not a function of City Government. The Harrods Creek Volunteer Fire Department, a very modern and fully-equipped fire-fighting force, provides services for Prospect residents. While the department has two fire houses, both of which are staffed full-time, the closest one is at 8905 U.S. 42.

Chief Cris Aponte is in charge of the Fire Department. He can be reached at 228-1351.
For a fire emergency, call 911.

Garbage and Recycling

Prospect is the only City in Jefferson County to provide twice-weekly back-door garbage and once-weekly back-door recycling pickups. In addition, the City provides curbside one-a-week pickup of yard waste (leaves and grass clippings).

Garbage pickup is on Monday and Thursday for half of the City and on Tuesday and Friday for the remainder. Recycling pickup is on the second garbage pickup day of the week and yard waste pickup is on the first garbage day. Call the City Hall to determine your days.

You do not need to sort household recycling items. The sorting is done by the City Hall contractor. If you have moved into an existing residence, a green recycling container should have been left for you to use. If you have moved into a new residence, or there is no container, please call City Hall for a new one.

Yard waste, which is grass clippings and leaves, is done year-around. However, please call the City Hall contractor at 568-3800 between December and February if you have such items to be picked up. Yard waste must be placed in paper bags or separate containers. Plastic bags will not be picked up.

Branches are not yard waste and will be picked up with the regular garbage pickup. Branches must be tied in bundles no longer than four feet with cotton twine. Large items (except appliances with Freon), sometimes picked up as a part of "trash day" in other cities, will be picked up at any time. If you have an unusually large amount of such items, please alert our contractor ahead of time.

If a garbage, recycling or yard waste pickup is missed on your regular day, please call the contractor at 568-3800. Usually, the make-up will be the next day. If the problem persists, please report it to City Hall.

Garbage and recyclables are collected every day except Christmas and New Year's Day.

City Newsletter and Minutes

Your new City is dedicated to keeping all residents informed about its activities. The Mayor and City Council believe that only through informing residents of what the City is doing can it be responsible to you.

The "Prospect City Newsletter" and "Official Minutes" of the City Council are printed and mailed to

The Prospect City Newsletter and Council Minutes of the City Council are printed and mailed to every resident on a monthly basis. Among items in the "Newsletter" is a rundown on what will be coming up at the next Council meeting. Residents are encouraged to attend meetings and can participate in discussions on issues which interest them.

The "Minutes" are the official record of the Council's actions. Because these must be approved by the Council, they generally run a month behind; however, you can obtain "unofficial" minutes by subscribing to an email version.

Building Permits

Generally, any improvements which you make outside your home requires a building permit from the City. This includes fences, swimming pools, sprinkler systems, additions and the like. It does not include driveways, mailboxes (even with enclosures), landscaping or roof repairs.

Permits must be obtained at City Hall. Most contractors are familiar with the process but you are responsible for seeing that the permit is obtained. If construction is begun without a permit, a stop-work order and/or a fine may be imposed.

Residents who build in-ground swimming pools (no above-ground pools are allowed in the City) must also obtain a permit from the County and from the County Board of Health. You should be aware many areas of the City have deed restrictions which may be more restrictive than City ordinances. Read your deed restrictions before you decide to build.

Right of Way/Easement

Your yard extends through what is called the City's right-of-way to the street. Although the City has a right-of-way, it is your obligation to maintain it, i.e., to mow the lawn, take care of trees and so on.

The City has the right to use the right-of-way, so please be sure you do not, as an example, place sprinkler system components in the right-of-way. If we have to dig up the right of way or pave the street, we are not obligated to repair anything in the right-of-way.

An easement is a part of your property the City (or public utilities) can use for specific purposes, such as sewage or drainage pipes. While you are generally prohibited from constructing or planting anything in an easement, the City is generally tolerant of your doing so – with the understanding that if we do have to do work in the easement, we will not replace anything we may damage or remove.

You can check easements on your property by looking at the survey of your lot.

Speed Limits

Except for U.S. 42, which is a State highway, the speed limit on all streets in the City is either 20 or 25 miles per hour.

Snow Removal

The City has a designated snow-cleaning plan, which targets the main thoroughfares first, with special attention paid to hilly areas. Generally, Fox Harbor Road and Hunting Creek Drive will be cleaned first, followed by Bridgepointe Boulevard and Timber Ridge Drive.

The snow removal plan is for the main streets to be kept clear as much as possible, for secondary main streets to be worked next and secondary streets to be attended to last. Every cul-de-sac street is last on the list on the theory that if the main road is not clear, there is nowhere to go safely anyway.

U.S. 42 is cleaned by the State, not the City. The City has no control over when snow plows will clear this highway.

Animals

No domestic animal (non-domestic animals are not allowed in the City) may be loose in Prospect. County and City ordinances both require an animal to be under the control of a person at all times. If you have a fence (including an invisible fence if your pet is wearing a control collar) then the animal is considered under your control. Even if under your control, you must abide by the City's "pooper-scooper" ordinance.

Animals found roaming free will be caught by the Police or Jefferson County Animal Control officers. When caught by Prospect Police, the animal will be placed in a cage at City Hall until Animal Control picks it up. Prospect Police will attempt to contact a pet's owner if it has a tag.

You are subject to a City fine and County penalties if your pet is picked up. In addition, the County's animal shelter is on the other side of the County, so it is to your advantage to reclaim any pet you have as quickly as possible.

City Ordinances

The City has a number of ordinances on a variety of subjects. You are invited to visit City Hall at any time and read the entire context of any ordinance. At your request, we can also make copies of ordinances for a small photocopying charge.

A few of the specifics of some of our ordinances are:

- You cannot have an above-ground pool in the City. Wading pools no deeper than one foot nor greater than eight feet in diameter are not considered above-ground pools.
- Swimming pools must be surrounded by a fence.
- You cannot have a satellite dish more than 20 inches in diameter. Dishes may only be in back or side yards and screened from "public view."

- You cannot have a chain-link fence in the City. You cannot have any fence in the front yard.
- You must have a permit to bring a boat, camper or mobile home into the City. The Police can issue a permit to allow such vehicles to be at your home for a limited amount of time. No large trucks are allowed to be parked in Prospect.
- No one is permitted to solicit for donations or sell items in the City without a permit. If someone comes to your door for such a purpose, please notify the Police. Neighborhood children selling items such as Girl Scout cookies and Band candy are generally exempt from this ordinance.
- You cannot maintain a public nuisance in the City. Structures in dilapidated condition, high grass, loud noise, barking dogs and the like are considered nuisances.

Signs

In residential areas, you are limited to one sign on each lot (excepting political signs 30 days before any election). While you may not place signs anywhere in the City other than on your property, signs for yard sales and the like are usually not banned so long as they are up only when the sale itself is in progress.

No commercial signs are permitted in residential areas.

At no time are signs and/or balloons permitted on public property.

Landscaping

Generally, the open areas in the City – in areas around the entrances to subdivisions and in traffic islands in particular – are City property and are maintained by the City. The City also plants flowers and the garden clubs and homeowner associations are encouraged to augment these plantings, if they wish.

Some areas still under development are maintained by the developers. The City has no responsibility for these areas.

Street Signs and Street Lights

The City furnishes street signs (both of a directional and traffic control variety) and street lights in areas under its control. If you believe a street sign or street light is needed, please contact City Hall.

Private streets and areas still under development may not be under City control. We can tell you whether the area about which you are interested has been dedicated to the City.

Sewer Fees

The City maintains three sewer treatment plants and collects sewer fees through the Louisville Water Co. For the typical house which uses approximately 10,000 gallons of water a month, this \$15 fee per month is lower than the fees charged in other parts of the County.

Your sewer fees pay for to operate and maintain the sewer plants and sewer lines in the City.

Property Taxes

You will get two property tax bills: one from the County (which includes the Harrods Creek Fire Protection District, School Taxes and County property taxes) and another from the City.

The City's current tax rate is 21.25 cents per \$100 of assessed valuation of your property. Prospect taxes are due by October 1st of each year, with fees added for late payment.

The additional fees, through December, are shown on the bill. After January 1, taxes are considered delinquent and additional fees will be assessed. If you escrow taxes with your mortgage company, it is your responsibility to get the bill to the lender.

The City does not assess property. This is done by the County Property Valuation Assessor (PVA). If you wish to dispute your assessment, contact the PVA at 574-6380.

Fourth of July

Prospect's Fourth of July is always a lot of fun! Practically since the City was founded, we have had an "at home" fireworks display and, in 1994, we inaugurated a parade and community picnic to go along with the fireworks.

Prizes are awarded for the best decorated "floats," which generally consist of residents' cars, kids' bike and the like. Watch the "Newsletter" for details of this year's event.

Holiday Decorations

Entrances to the subdivisions in the City are primarily decorated by neighborhood groups for the Holiday season. If you are interested in working with one of these groups, call City Hall for the name of the person in charge in your subdivision.

Generally, the City encourages residents to have their homes decorated in time to participate in the Festival of Trees and Lights and Light Up Louisville, which is held in early to mid-December.

City Hall is decorated to honor residents who celebrate Christmas and Chanukah.

Voter Registration

You'll want to be involved in your new community, and the best way to do that is to register to vote. To

get voter registration cards, please call the Jefferson County Clerk's office at 625-5700 or the Oldham County Clerk's office at 222-0047. Oldham voter cards should be returned to Oldham Voter Registration, 100 W. Jefferson Street, LaGrange, KY 40031.

An Afterword

Prospect is your city. While you, of course, pay the taxes which finance its operation, of greater importance is the fact that every elected official and employee is dedicated to making Prospect the kind of City you want it to be.

Please call or write to the Mayor, City Council Members, City Administrator or Police Chief if you have any ideas, praise, criticism or suggestions on how to make Prospect a better place to live. Everyone will take your input very seriously and do their best to consider and respond to you.